

FILED
Clerk
District Court

JUL 18 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

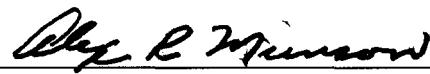
10	UNITED STATES OF AMERICA,)	Civil No. 08-00029
11)	<i>31</i>
12	Respondent)	ORDER GRANTING MOTION
13)	TO WAIVE FILING FEE AND
14	v.)	DENYING MOTION FOR
15	ERIC JOHN TUDELA MAFNAS,)	APPOINTMENT OF COUNSEL
16)	FOR 28 U.S.C. § 2255 MOTION
17	Petitioner)	

18 THE COURT has before it two motions from petitioner Mafnas. The first
19 seeks waiver of the filing fee and that motion is granted. It appears from petitioner's
20 filings that he is unable to pay the fee. The second motion seeks appointment of
21

1 counsel to represent petitioner in this 28 U.S.C. § 2255 proceeding and that motion is
2 denied at this time. An initial assessment of petitioner's filings leaves the court
3 unpersuaded that he has met his burden under 28 U.S.C. § 2255 to show that either
4 trial or appellate counsel was ineffective; general allegations are made, but are not
5 supported by specific facts. The court will review the trial transcript for indications
6 that petitioner's motion has merit. If the court concludes that the transcript supports
7 his claim of ineffective assistance of counsel it will *sua sponte* re-visit the issue of
8 appointment of counsel

11 IT IS SO ORDERED.

13 DATED this 18th day of July, 2008.

17 
18 ALEX R. MUNSON
19 Judge